

Dismissed and Memorandum Opinion filed July 28, 2016.



In The

Fourteenth Court of Appeals

NO. 14-16-00111-CR

DEMONTRE JALEE PITTS-MARSHALL, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 185th District Court
Harris County, Texas
Trial Court Cause No. 1480723**

M E M O R A N D U M O P I N I O N

A jury convicted appellant of evading arrest or detention with a vehicle. On February 4, 2016, the trial court sentenced appellant to confinement for five years in the Institutional Division of the Texas Department of Criminal Justice. Appellant filed a notice of appeal on February 4, 2016.

On June 30, 2016, this court ordered a hearing to determine why appellant had not filed a brief in this appeal. On July 7, 2016, the trial court conducted the hearing, and the record of the hearing was filed in this court on July 13, 2016.

At the hearing, appellant, without counsel, confirmed that he no longer wished to pursue his appeal.

Appellant has not filed a written motion to withdraw the appeal or a written motion to dismiss the appeal. *See* TEX. R. APP. P. 42.2(a). However, based upon the testimony at the hearing that appellant does not want to continue his appeal, we conclude that good cause exists to suspend the operation of Rule 42.2(a) in this case. *See* TEX. R. APP. P. 2.

Accordingly, we dismiss the appeal.

PER CURIAM

Panel consists of Justices Boyce, Christopher, and Jamison.
Do Not Publish — Tex. R. App. P. 47.2(b).